



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

of the "leading educational institutions" in Virginia. He was born at Richmond, Va., and is said to come from a prominent and wealthy family.

Bar Association at Jamestown.—The Executive Committee of the Virginia State Bar Association held a meeting in Richmond last month to fix the time and place for holding the next meeting of the association, and decided the matter tentatively. If convenient hotel accommodations and rates can be secured the meeting will take place in the vicinity of Norfolk on account of the Jamestown Exposition, and if held there, the dates will be July 30th, 31st, and August 1st. If held in the mountains these dates will be changed. A subcommittee was appointed to look into the matter of hotel accommodations, and to report later to the full committee.

Judge Tebbs Examiner of Records.—Judge Richard H. Tebbs of Leesburg, a prominent attorney, formerly judge of the County Court of Loudoun county, has been appointed examiner of records for the Twenty-sixth Judicial Circuit of Virginia, composed of the counties of Loudoun, Fauquier and Rappahannock.

Mr. V. L. Sexton has associated with him, in the practice of law, Mr. John Roberts, formerly of Bluefield, West Virginia. They will practice, with offices at Pocahontas, Tazewell county, Virginia, under the firm name of Sexton & Roberts.

NOTES OF CASES.

Construction of Mutual Benefit By-Law.—A strict construction of a by-law of a fraternal insurance society comes from Kansas in *Taylor v. Modern Woodmen of America*, 83 Pacific Reporter, 1099, where it is declared that a by-law which provides that if any member shall become intemperate in the use of drugs the benefit certificate held by such member shall become absolutely null and void as to benefits and all payments previously made thereon forfeited, does not apply to the case of a member, who, prior to the enactment of such by-law, had become intemperate in the use of drugs and continued so thereafter.

Change of "Interest" of Insured.—*Garner v. Milwaukee Mechanics Insurance Company*, 84 Pacific Reporter, 717, lays down a doctrine as to which it may at least be said that there are many opposing cases. It is here declared that the word "interest" in a forfeiture clause of an insurance policy, which provides that the policy shall become void if any change shall take place in the interest, title or possession of the subject of insurance, has application only where the insured owns and insures an interest less than title and has no applica-

tion where the insured owns the title; consequently, where the insured owned the title of the subject of insurance and after the execution of the policy made an executory contract to convey the property, under which the consideration was fully paid but no transfer either of title or possession had been actually made, there had been no change in interest, title or possession within the meaning of the forfeiture clause quoted.

Self-Incrimination of Witness.—In the paper trust case (*Nelson v. United States*, 26 Supreme Court Reporter, 358) it is held that a witness ordered by a federal court to give evidence as to a violation of the anti-trust act cannot excuse a refusal to give such evidence on the ground that it is immaterial, and also that the right of a witness to claim his privilege against self-incrimination afforded by U. S. Const., 5th Amend., is taken away, in so far as an examination concerning an alleged violation of the anti-trust act is concerned by the proviso of the Act of Feb. 25, 1903, that no person shall be prosecuted or subjected to any penalty or forfeiture on account of anything concerning which he may testify, in a prosecution under certain named statutes, of which the anti-trust act is one.

Impairment of Obligation of Contract.—A decision which may be of considerable importance to many municipalities is contained in *Knoxville Water Co. v. Mayor & Aldermen of the City of Knoxville*, 26 Supreme Court Reporter, 224, where it is maintained that an agreement by a municipality to give a water company an exclusive franchise of thirty years, as against any other person or corporation, is not impaired by the establishment by the municipality of its own independent system of waterworks under subsequent legislative authority.

Right of Trust to Invoke Constitutional Protection.—*Peoria Gas & Electric Co. v. City of Peoria*, 26 Supreme Court Reporter, 214, determines that an agreement between rival gas companies to fix the price for gas, in violation of the Illinois anti-trust act, does not, after they cease to act under it, defeat their right to invoke the due process of law clause of the Federal Constitution to prevent the enforcement of a municipal ordinance, which by establishing unremunerative rates has the effect of taking private property for public use without just compensation.

Preference and Discrimination by Railroads.—One of the most important sections of the Interstate Commerce Act receives authoritative construction at the hands of the United States Supreme Court in *New York, New Haven & Hartford R. Co. v. Interstate Commerce Commission*, 26 Supreme Court Reporter, 272. It is there held that an interstate carrier, not empowered by its charter or any legislation